

REMARKS

This application has been carefully reviewed in light of the Office Action dated February 7, 2007. Claims 19 and 20 are in the application, with Claim 19 being independent. Reconsideration and further examination are respectfully requested.

Claims 19 and 20 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 5,862,223 (Walker) in view of U.S. Patent No. 5,963,635 (Szlam). Reconsideration and withdrawal of the rejections are respectfully requested.

Amended Claim 19 is directed to a help server apparatus comprising, first receiving means for receiving an inquiry and priority order of communication abilities of a user terminal from the user terminal, searching means for searching for a plurality of helper terminals on the basis of a key word of the inquiry, second receiving means for receiving, from the plurality of helper terminals, the priority order of the communication abilities of each respective helper terminal, selection means for selecting one of the plurality of helper terminals in response to a request from the user terminal, determining means for searching the communication abilities of the user terminal and the selected helper terminal in the order of the priority from highest to lowest to determine the communication ability coincident between the user terminal and the selected helper terminal as a communication ability to be applied to a session, transferring means for transferring an answer of the inquiry from the helper terminal to the user terminal through the session which uses the communication ability determined by the determining means, and settlement means for confirming that the requested session was started normally, performing charging

processing to a user, and performing charge payment processing to the help server apparatus.

The applied art, alone or in any permissible combination, is not seen to disclose or to suggest the features of Claim 19, and in particular, is not seen to disclose or to suggest at least the features of a help server apparatus receiving, from a plurality of helper terminals, priority order of communication abilities of each respective helper terminal, searching the communication abilities of the user terminal and a selected helper terminal in the order of the priority from highest to lowest to determine the communication ability coincident between the user terminal and the selected helper terminal as a communication ability to be applied to a session, and transferring an answer of the inquiry from the helper terminal to the user terminal through the session which uses the determined communication ability.

As readily admitted in the Office Action, Walker fails to teach that a help server receives the priority order of communication abilities from a user terminal. This reference therefore does not disclose the transferring means functioning together with the determining means as recited in the amended independent claim 19.

Szlam merely teaches that a telemarketing system contacts a customer using a preferred method (such as, telephone, preferred day of the month, and the like) indicated by a customer sensitivity profile, to notice the customer of a campaign. However, this reference also does not disclose that a help server apparatus searches communication abilities of a user terminal and a selected helper terminal in the order of the priority from highest to lowest to determine the communication ability coincident between the user

terminal and the selected helper terminal as a communication ability to be applied to a session therebetween, as recited in the amended independent claim 19.

Thus, Claims 19 and 20 are believed to be allowable over the applied art.

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

REQUEST FOR INTERVIEW

In the event that the Examiner fails to find the foregoing amendment and arguments persuasive, Applicant respectfully requests that he contact Applicant's undersigned representative to schedule an interview to discuss any outstanding matters so that the application can be placed in condition for allowance.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/Edward Kmett/

Edward A. Kmett
Attorney for Applicant
Registration No. 42,746

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200